

WORKMAN | NYDEGGER
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111
TELEPHONE (801) 533-9800
FAX (801) 328-1707

RECEIVED
CENTRAL FAX CENTER

AUG - 2 2004

OFFICIAL

TELECOPIER COVER SHEET

August 2, 2004

Total Number of Pages
(including cover letter): 33

Please deliver the transmitted facsimile pages to:

EXAMINER Y. YOUNG LEE
GROUP ART UNIT 2613

Business Phone (703) 308-7584

Telecopier Phone: (703) 872-9306

From: RICK D. NYDEGGER/JENS C. JENKINS

Comments: Please see attached Petition to Revoke for Unintentional Abandonment
Under 37 CFR 1.137(b) and accompanying documents.

Docket No.: 14531.71.4.2

Serial No.: 09/992,190

We are transmitting from a Sharp FO-750 or Sharp FO-6100 facsimile machine. If you do not receive all the pages or they are unreadable, please contact me as soon as possible at (801) 533-9800.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

RECEIVED
CENTRAL FAX CENTER

AUG - 2 2004

PTO/SB/64 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
14531.71.4.2

First named inventor: John J. Daniels

Application No.: 09/992,190

Art Unit: 2613

Filed: November 16, 2001

Examiner: Y. Young Lee

Title: PAUSING TELEVISION PROGRAMMING IN RESPONSE TO SELECTION OF HYPERTEXT LINK

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions
information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus any extensions of time
actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,330 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of RCE & Amendment "B" (identify type of reply):

☐ has been filed previously on _____

☒ is enclosed herewith.

B. The issue fee of \$ _____

☐ has been paid previously on _____

☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

OFFICIAL

08/04/2004 MHEKONEN 00000047 09992190

1330.00 OP

01 FC:1453

PTO/SB/64 (11-03)

Approved for use 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

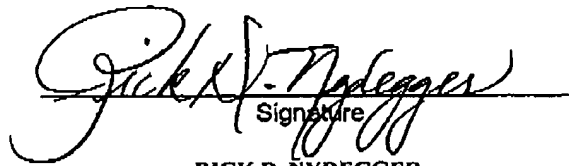
4. **STATEMENT:** The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

AUGUST 2, 2004

Date

Telephone

Number: (801) 533-9800

Signature

RICK D. NYDEGGER

Typed or printed name

WORKMAN NYDEGGER

Address

Customer No. 022913

Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☒ Other: PTO-2038 Credit Card Payment Form

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

AUGUST 2, 2004

Date



Signature

DACIA M. HOLT

Type or printed name of person signing certificate

[Page 2 of 2]

FILED VIA FACSIMILE

PATENT APPLICATION
Docket No. 14531.71.4.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

AUG - 2 2004

In re application of

John J. Daniels

Serial No.:

09/992,190

Art Unit
2613

OFFICIAL

Filed:

November 16, 2001

Confirmation No.:

022913

For:

PAUSING TELEVISION PROGRAMMING IN
RESPONSE TO SELECTION OF HYPERTEXT
LINK

Examiner:

Y. Young Lee

**STATEMENT AND PETITION UNDER C.F.R. § 1.137(b) TO REVIVE AN
UNINTENTIONALLY ABANDONED APPLICATION**Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Pursuant to 37 C.F.R. § 1.137(b), applicant hereby petitions to revive United States Patent Application Serial No. 09/992,190, which became unintentionally abandoned in response to the Office Action mailed from the United States Patent and Trademark Office on July 24, 2003. As the Office Action granted a three month period in which to reply, the abandonment date of the application is October 24, 2003. Applicant submits that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional.

Following an interview held with the Examiner on October 6, 2003, a response was filed on October 20, 2003 including (copies attached): (1) a Certificate of Facsimile Transmission; (2) Amendment "B"; (3) an RCE Transmittal Letter; (4) a Submission of Formal Drawing for one sheet of the formal drawing; (5) a Transmittal of Formal Drawing; (6) and Form PTO-2038 authorizing payment of the RCE filing fee in the amount of \$770.00, were filed by fax in response to Final Office Action (paper no. 11) in the above-identified application. However, Applicants are not able to locate the fax confirmation sheet or a PTO Auto-Reply facsimile confirming the PTO's receipt of said documents.

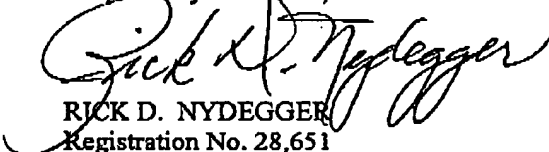
To enable granting of this petition, the following items are enclosed:

1. Amendment "B", Request for Continued Examination, Submission of Formal Drawing and One (1) Sheet of Formal Drawing for filing in response to the Final Office Action (paper no. 11) mailed July 24, 2003.
2. Petition for Three-Month Extension of Time under 37 CFR 1.136(a).
2. Form PTO-2038 authorizing Credit Card Payment in the amount of \$3,050.00, for the RCE filing fee (\$770.00), the Three-Month Extension fee (\$950.00), and the fee for this Petition (\$1,330.00).

In view of the foregoing, applicant respectfully requests that this Petition to Revive an Unintentionally Abandoned Application be granted.

Dated this 2nd day of August, 2004.

Respectfully submitted,


RICK D. NYDEGGER
Registration No. 28,651

WORKMAN NYDEGGER
Attorneys for Applicant
Telephone: (801) 533-9800
Customer No. 022913

RDN:dmh

W:\14531\71.4.2\DMSS0000007108\001.doc